

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
NOVEMBER 19, 2012
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:37 PM by President Powers.

Present: Councilmembers David Anderson, Thomas R. Bullock III, Shawn Juris, Mary Louise Madigan, Ryan Nowlin, Brian E. Powers, Monique Smith.

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Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Public Works Director Beno, Police Chief Malley, Fire Chief Gilman, Director of Planning and Development/Assistant Director of Public Safety for Housing and Building Siley, Human Resources Director Yousefi.

Motion by Mr. Powers, seconded by Ms. Madigan to approve the minutes of the Special Meeting held October 29, 2012 and the Regular Meeting of Council held November 5, 2012 without the necessity of a reading.

Motion adopted. All members voting yea

******OLD BUSINESS******

1. Public Safety Committee Report regarding Ords. 50-12 through 63-12. (Pg. 11)

Motion by Mr. Nowlin, seconded by Mr. Powers, to receive and file the report.

Motion adopted. All members voting yea.

2. **ORDINANCE NO. 50-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, enacting Section 301.301, Beacon; Hybrid Beacon; enacting Section 301.161, Highway Traffic Signal; amending Section 301.17, Intersection; enacting Section 301.181, Median; amending Section 301.26, Private road or driveway; and amending Section 301.45, Traffic; of the Codified Ordinances of the City of Lakewood for the purpose of complying with newly enacted state code defining terms contained in the traffic laws of the City of Lakewood. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 14)

Motion by Mr. Powers, seconded by Ms. Madigan, to substitute Ordinance No. 50-12.
Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, smith
Nays; None
Motion adopted. Ordinance substituted.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 50-12 as substituted.
Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, smith
Nays; None
Motion adopted. Ordinance No. 50-12 adopted as substituted.

3. **ORDINANCE NO. 51-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 303.041, Emergency, Public Safety and Coroner's Vehicles Exempt, of the Codified Ordinances of the City of Lakewood for the purpose of complying with changes to the State of Ohio traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 18)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 51-12.
Motion adopted. All members voting yea.

4. **ORDINANCE NO. 52-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 313.03, Traffic Control Signal Terms and Lights, and 313.05, Pedestrian Control Signals, of the Codified Ordinances of the City of Lakewood for the purpose of complying with changes to the State of Ohio traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 21)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 52-12.
Motion adopted. All members voting yea.

5. **ORDINANCE NO. 53-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 331.12, "U" Turns Restricted, of the Codified Ordinances of the City of Lakewood for the purpose of complying with changes to the State of Ohio traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 30)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 53-12.
Motion adopted. All members voting yea.

6. **ORDINANCE NO. 54-12** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to

take effect at the earliest period allowed by law, enacting 331.51, Noise Disturbance from Motor Vehicle Prohibited, of the Codified Ordinances of the City of Lakewood to create a new offense in the traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg.33)

Motion by Mr. Powers, seconded by Ms. Madigan, to substitute, Ordinance No. 54-12.
Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith
Nays: None
Motion adopted. Ordinance No. 54-12 substituted.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 54-12 as substituted.
Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith
Nays: None
Motion adopted. Ordinance No. 54-12 adopted substituted.

7. **ORDINANCE NO. 55-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 333.01, Driving Or Physical Control While Under the Influence, of the Codified Ordinances of the City of Lakewood for the purpose of complying with newly enacted state code provisions requiring an offender to provide proof of financial responsibility. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 35)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 55-12.
Motion adopted. All members voting yea.

8. **ORDINANCE NO. 56-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 335.01, Driver's or Commercial Driver's License Required; Section 335.02, Permitting Operation Without a Valid License; and Section 335.05, Wrongful Entrustment of a Motor Vehicle; of the Codified Ordinances of the City of Lakewood to reflect recent changes in the State traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 63)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 56-12.
Motion adopted. All members voting yea.

9. **ORDINANCE NO. 57-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 335.06, Display of License, 335.07, Driving Under Suspension or License Restriction, and Section

335.071, Driving Under OVI Restriction, of the Codified Ordinances of the City of Lakewood to reflect recent changes in the State traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 74)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 57-12.
Motion adopted. All members voting yea.

10. **ORDINANCE NO. 58-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 335.072, Driving Under Financial Responsibility Law Suspension or Cancellation; amending Section 335.073, Driving Without Complying with License Reinstatement Requirements; amending Section 335.12, Stopping After Accident Upon Streets; amending Section 335.13, Stopping After Accident Upon Property Other Than Streets; and amending Section 335.14, Vehicle Accident Resulting in Damage to Realty, of the Codified Ordinances of the City of Lakewood to reflect recent changes in the State traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 88)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 58-12.
Motion adopted. All members voting yea.

11. **ORDINANCE NO. 59-12** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, enacting Section 335.074, Driving Under License Forfeiture or Child Support Suspension, of the Codified Ordinances of the City of Lakewood to create a new offense in the traffic code (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 100)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 59-12.
Motion adopted. All members voting yea.

12. **ORDINANCE NO. 60-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 337.22, Windshield and Windshield Wipers; Sign or Poster Thereon, Section 337.225, Use of Sunscreening and Nontransparent Reflectorized Materials, and Section 337.33, Bumper Heights, of the Codified Ordinances of the City of Lakewood for the purpose of complying with changes to the State of Ohio traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 104)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 60-12.
Motion adopted. All members voting yea.

13. **ORDINANCE NO. 61-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 339.03, Maximum Width, Height, and Length, of the Codified Ordinances of the City of Lakewood for the purpose of complying with changes to the State of Ohio traffic code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 115)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 61-12.
Motion adopted. All members voting yea.

14. **ORDINANCE NO. 62-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 341.05, Criminal Offenses, of the Codified Ordinances of the City of Lakewood for the purpose of complying with newly enacted State Code pertaining to the same subject. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12) (Pg. 120)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 62-12.
Motion adopted. All members voting yea.

15. **ORDINANCE NO. 63-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 373.02, Riding Upon Seats; Handle Bars; Helmets And Glasses, of the Codified Ordinances of the City of Lakewood for the purpose of complying with changes to the State of Ohio traffic code (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 10/15/12, 2nd 11/5/12). (Pg. 123)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 63-12.
Motion adopted. All members voting yea.

16. **Public Safety Committee Report** regarding Ordinance Nos. 38-12 & 44-12. (To Be Provided).

Motion by Mr. Nowlin, seconded by Mr. Powers, to defer action on this item.
Motion adopted. All members voting yea.

17. **ORDINANCE NO. 38-12** - AN ORDINANCE amending Section 506.04 of the Codified Ordinances, Exception, Registration and Fee, for the purpose of eliminating the fees associated with the annual renewal of registrations of dangerous animals. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 9/4/12, 2ND READING 9/17/12) (Pg. 127)

Motion by Mr. Nowlin, seconded by Mr. Powers, to defer action on this item.
Motion adopted. All members voting yea.

18. **ORDINANCE NO. 44-12** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, enacting Section 331.345, Using Communications Device While Driving, of the Codified Ordinances of the City of Lakewood to establish a new offense within the Traffic Code. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 9/17/12, 2ND READING 10/1/12) (Pg. 131)

Motion by Mr. Nowlin, seconded by Mr. Powers, to defer action on this item.
Motion adopted. All members voting yea.

*****NEW BUSINESS*****

19. Communication from Council President Powers, Councilmembers Anderson, Bullock, Madigan, Nowlin, Smith and Mayor Summers regarding opposition to House Bill 601. (Pg.135)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

20. **RESOLUTION NO. 8615-12** - A RESOLUTION opposing the State of Ohio's attempt to impose a one-size-fits-all tax code on Ohio Cities as proposed in House Bill 601, which would render powerless the City of Lakewood's right to govern its own finances. (Pg.137)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8615-12.

Motion adopted. All members voting yea.

21. Communication from Council President Powers regarding Proposed Ordinances Regarding Outmoded an Unused Boards, Committees and Commissions. (Pg.139)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

22. **ORDINANCE NO. 64-12** - AN ORDINANCE repealing Section 135.12, SAVE Rewards Program, Section 137.16, Emergency Medical Services Commission, Chapter 141, Boxing and Wrestling Commission, Section 149.20, Incentive Awards, Chapter 151, Sundry Claims, and Chapter 158, Child Care Services Advisory Board, and amending Section 109.01, Open Meetings, and Section 127.02, Settlement Authorization, of the Lakewood Codified Ordinances, to eliminate instances of outmoded or unused committees, commissions or boards from the Code. (Pg.140)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 64-12 on 1st Reading and refer it to the Boards and Commissions ad hoc Committee.

Motion adopted. All members voting yea.

23. Communication from Councilmember Juris regarding Commendation Resolution for Police, Fire and Public Works Departments. (Pg. 147)

Motion by Mr. Juris, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

24. **RESOLUTION NO. 8616-12** – A Resolution recognizing and commending the men and women in the Police, Fire and Public Works Departments of the City of Lakewood for their exemplary public service that went above and beyond their normal duties over the many days that Lakewood endured hardships as a result of Superstorm Sandy (Pg. 148)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8616-12.

Motion adopted. All members voting yea.

25. Communication from Mayor Summers regarding Appointments for Tree Task Force. (Pg.149)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

26. Communication from Fire Chief Gilman regarding Resolution authorizing agreements with Cuyahoga County to receive funds from the Urban Area Security Initiative and State Homeland Security Grant Program. (Pg. 150)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

27. **RESOLUTION NO. 8617-12** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law to enter into various Agreements with Cuyahoga County to accept funds for the Urban Area Security Initiative in an amount estimated at \$13,000 for reimbursement for overtime associated with various educational courses for Fire Department Personnel. (Pg.151)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8617-12.

Motion adopted. All members voting yea.

28. Communication from Fire Chief Gilman regarding Resolution approving the adoption of the Countywide All Natural Hazards Mitigation Plan for Cuyahoga County 2011 Update. (Pg. 153)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

29. **RESOLUTION NO. 8618-12** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to approve the adoption of the Countywide All Natural Hazards Mitigation Plan for Cuyahoga County, 2011 Update. (Pg.154)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8618-12.

Motion adopted. All members voting yea.

30. Communication from Fire Chief Gilman regarding Resolution approving the adoption of the Office of Emergency Management for Cuyahoga County, 2012. (Pg.156)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

31. **RESOLUTION NO. 8619-12** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to approve the adoption of the Office of Emergency Management for Cuyahoga County, 2012. (Pg.157)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8619-12.

Motion adopted. All members voting yea.

32. Communication from Human Resources Director Yousefi regarding Part-time Corrections Officers and City Planner - Salary Ordinance changes (Pg. 159)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

33. **ORDINANCE NO. 65-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to provide for creating positions and rates of pay for full-time and certain part-time annual salaried employees and hourly rate employees not covered by a collective bargaining agreement in the several departments, divisions and offices of the City of Lakewood, including the Chief of Fire, Chief of Police and Civil Service Commissioners. (Pg. 160)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 65-12 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

34. Communication from Finance Director Pae regarding 2012 Year-End and 2013 Budget Ordinances (Pg.166)

Motion by Mr. Powers, seconded by Ms Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

Motion by Mr. Powers, seconded by Mr. Bullock, to suspend the rules, and reading Items 35-51 for one blanket motion.

Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith

Nays: None

Motion adopted rules suspended. Clerk reads items 35-51 consecutively for one blanket motion after item 51.

35. **ORDINANCE NO. 66-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2012. (Pg.167)

*Blanket motion made after item 51

36. **ORDINANCE NO. 67-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, law authorizing the transfer and advance of certain funds. (Pg. 180)

*Blanket motion made after item 51

37. **ORDINANCE NO. 58-11C** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Ordinance

58-11B, adopted September 7, 2012 for the purpose of adding, deleting, and increasing contracting authority for the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2012 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg.182)

*Blanket motion made after item 51

38. **ORDINANCE NO. 68-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2013. (Pg.189)

*Blanket motion made after item 51

39. **ORDINANCE NO. 69-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2013 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg.202)

*Blanket motion made after item 51

40. **ORDINANCE NO. 70-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into service contracts in accordance with the Administrative Code of the City of Lakewood for the **Department of Planning & Development** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 206)

*Blanket motion made after item 51

41. **ORDINANCE NO. 71-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for

Memberships as authorized by the 2013 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed \$50,000 without separate Ordinance of Council. (Pg. 208)

*Blanket motion made after item 51

42. **ORDINANCE NO. 72-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to amend section 915.01, Establishment of Rates, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting water rates charged against each lot, parcel of land or premises which may have an active water connection with the Municipal water system. (Pg. 212)

*Blanket motion made after item 51

43. **ORDINANCE NO. 73-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending section 902.04, Rates and Charges, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting sewer rates charged against each lot, parcel of land or premises which may have an active sewer connection with the Municipal wastewater disposal system or which may otherwise discharge wastewater either directly or indirectly into such system or any part thereof. (Pg. 214)

*Blanket motion made after item 51

44. **ORDINANCE NO. 74-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Street Infrastructure Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.216)

*Blanket motion made after item 51

45. **ORDINANCE NO. 75-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Wastewater System and Treatment Improvement Program** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.218)

46. **ORDINANCE NO. 76-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Water System Replacement Program** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.220)

*Blanket motion made after item 51

47. **ORDINANCE NO. 77-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **C.D.B.G. Fund Infrastructure Improvements** in accordance with the administrative code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 222)

*Blanket motion made after item 51

48. **ORDINANCE NO. 78-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the purchase of **Vehicles, Machinery and Equipment** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.224)

*Blanket motion made after item 51

49. **ORDINANCE NO. 79-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Buildings & Facilities Improvements** in accordance with the Administrative Code of the City of Lakewood,

contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 226)

*Blanket motion made after item 51

50. **ORDINANCE NO. 80-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Traffic Signs & Signals** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.228)

*Blanket motion made after item 51

51. **ORDINANCE NO. 81-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Parks & Pools Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.230)

*BLANKET MOTION - Motion by Mr. Powers, seconded by Ms. Madigan, to Place items 35-51 (Ordinances Nos. 66-12 through and including 81-12 consecutively) on 1st Reading and refer them to the Finance Committee.

Motion adopted. All members voting yea.

52. Communication from Law Director Butler regarding Resolution authorizing the Mayor to enter into agreement with the Cuyahoga County Board of Health for the provision of public health services in Lakewood in 2013. (Pg.232)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

53. **RESOLUTION NO. 8620-12** - A RESOLUTION to take effect immediately provided it received the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor to enter into an agreement with the District Advisory Council of Cuyahoga County, Ohio General Health District for the provision of public health

services within the City of Lakewood in an amount not to exceed \$200,183.00 for a one-year period commencing January 1, 2013. (Pg.233)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive, file and refer Resolution No. 8620-12 to the Finance Committee.

Motion adopted. All members voting yea.

54. Liquor Permit Application for D1 & D3 transfers to Taco Tontos, 13321 Madison Avenue from Lake Avenue Industries same address. (Pg.236)

Motion by Mr. Nowlin, seconded by Mr. Powers, to file no objection to this liquor permit.

Motion adopted. All members voting yea.

Post Agenda Public Comment

Council President Powers indicated there no members of the public signed up to speak during public comment and asked if anyone was there to speak.

Council Vice President Madigan provided the following comment:

“...I just want to note for the official record that should Councilman Anderson ever not be able to join us, his daughter Brianna can fill in quite nicely because she voted with the majority in all cases after thoughtful consideration. Thank you, Ms. Anderson”.

Councilmember Smith referenced the tradition of “Small Business Saturday” to kick off the shopping season. She indicated it was a useful reminder to support small businesses especially in Lakewood stating that when people shop at small businesses a larger percentage of the money that is spent stays in the community.

Motion by Mr. Powers, seconded by Ms. Madigan, to adjourn the meeting.

Meeting adjourned 8:25 PM.

Approved: _____

CLERK

PRESIDENT